

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL
LEAGUE PLAYERS' CONCUSSION
INJURY LITIGATION

No. 2:12-md-02323-AB

MDL No. 2323

Hon. Anita B. Brody

Kevin Turner and Shawn Wooden,
*on behalf of themselves and
others similarly situated,*

Plaintiffs,

v.

National Football League and
NFL Properties LLC,
successor-in-interest to
NFL Properties, Inc.,

Defendants.

THIS DOCUMENT RELATES TO:
ALL ACTIONS

REPLY DECLARATION OF CHRISTOPHER A. SEEGER

CHRISTOPHER A. SEEGER declares, pursuant to 28 U.S.C. § 1746, based upon his personal knowledge, information, and belief, the following:

1. By Order dated April 25, 2012 [ECF No. 64], the Court appointed me as Co-Lead Counsel for the Plaintiffs in this multidistrict litigation ("MDL"). In its Amended Final Order and Judgment approving the class action settlement in this MDL [ECF No. 6534], the Court confirmed my appointment as Co-Lead Class Counsel for the Settlement Class.

2. Having been appointed as Co-Lead Class Counsel, I am fully familiar with the matters set forth herein.

3. I submit this Reply Declaration in further support of my motion for sanctions and other relief, filed on May 8, 2018 [ECF No. 9974], and in support of the reply memorandum being filed contemporaneously herewith.

4. As Court-appointed Co-Lead Class Counsel, my firm has access to the Claims Portal. When we previously checked the Claims Portal in preparation for the April 2, 2018 hearing, Phillip Timothy Howard represented 234 Class Members. As of June 4, 2018, Mr. Howard represented 90 Class Members.

5. Seven of the ten Class Members with retirement funds invested with Cambridge have switched their representation from Mr. Howard to Shenaq, PC.

6. As per the Claims Portal, the Claims Administrator did not have record of Shenaq, PC representing any Class Members. As of June 4, 2018, Shenaq, PC represents 235 Class Members, at least 100 of whom are former clients of Mr. Howard.

7. Attached hereto as Exhibit 29 is a true and correct copy of an email chain which Mr. Howard forwarded to one of the Class Members who has retirement funds invested with Cambridge, specifically, the Class Member referred to as Player 5, on June 16, 2017, with attached portfolio valuations for Cambridge Capital Partners LP and Cambridge Capital Group Equity Option Opportunities LP. The Class Members' names have been redacted and replaced with either their "Player No.," as they were previously identified in the motion for sanctions and supporting exhibits, or, if the person was not one of those ten Class Member with retirement monies invested with Cambridge, the Class Member's Settlement Program Identification Number, which is assigned to each Class Member upon registration. For a few persons, we could not identify them as Settlement Class Members.

8. Attached hereto as Exhibit 30 is a true and correct copy of the State of Florida, Department of Corporations, Detail by Officer/Registered Agent Name, for Seascope Properties of North Florida, Inc.

9. The Class Member who was identified as Mr. Smith in my motion for an order prohibiting the Cambridge Entities from violating the Court's December 8, 2017 Explanation and Order, filed January 26, 2018 [ECF No. 9578], is a resident of Georgia and represented to me that at the time he made the recording of his telephone conversation with Addys Walker and Gail Milon, he was in Georgia.

10. To my knowledge, I did not receive a letter from Gail Milon on or about April 12, 2018.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 14, 2018

/s/ Christopher A. Seeger
CHRISTOPHER A. SEEGER
Co-Lead Class Counsel

Exhibit 29 (Redacted)

Attachments:

CCP Portfolio Valuation 5-31-17.docx; CCG EOO Portfolio Valuation 5-31-17.docx

Begin forwarded message:

From: Tim Howard <tim@howardjustice.com>

Date: June 16, 2017 at 11:16:18 AM EDT

To: Player 5

Subject: Fwd: Updated CCP and CCG EOO Portfolio Growth and Valuation 5/31/17

FYI

Tim Howard

Professor Tim Howard, J.D., Ph.D.
Howard & Associates, P.A.



Tallahassee, Florida Office:
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Law Firm Website: www.howardjustice.com
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Jacksonville, Florida Office:
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1301 Riverplace Blvd.
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Cambridge, Massachusetts Office:
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----- Forwarded message -----

From: **Tim Howard** <tim@howardjustice.com>

Date: Fri, May 26, 2017 at 5:48 PM

Subject: Fwd: Updated CCP and CCG EOO Portfolio Growth and Valuation 5/31/17

To: Neil Epstein <neil@howardjustice.com>

Tim Howard

Professor Tim Howard, J.D., Ph.D.
Howard & Associates, P.A.



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----- Forwarded message -----

From: **Tim Howard** <tim@howardjustice.com>

Date: Fri, May 26, 2017 at 4:44 PM

Subject: Updated CCP and CCG EOO Portfolio Growth and Valuation 5/31/17

To: Gail Milon <gail@ccwealthadvisors.com>, Addys Walker <addyswalker@yahoo.com>, Jeffrey Kahn <kahnadvisorsllc@gmail.com>, Brenda Murphy <Brenda@howardjustice.com>

Attached please find an updated CCP and CCG EOO Portfolio Growth and Valuation up to 5/31/17.

The total \$12.55 million.

CCP at \$7,369,119.10 is growing at 7.4% a month, and CCG EOO at \$5,182,102.47 is growing at 7.4% per month.

Note, these number are slightly under the precise valuation as the monthly growth was not compounded. We will get these numbers into a spreadsheet so that compounding automatically takes place for each contract and each month.

There may be some plural or singular references to Contract verse Contracts headers that need editing. Other than that, these are good to go.

Tim Howard

Professor Tim Howard, J.D., Ph.D.
Howard & Associates, P.A.



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CAMBRIDGE CAPITAL PARTNERS LP PORTFOLIO VALUATION

December 31, 2016 Valuation

Valuation and Growth January 1, 2017 through May 31, 2017

SUMMARY:

SWAP CONTRACT VALUATION GROWTH AT 16.6% MONTHLY, MAY 31, 2017 VALUE:	\$4,810,559.00
LUMP SUM CONTRACT VALUATION GROWTH AT 3.5% MONTHLY, MAY 31, 2017 VALUE:	\$1,541,422.00
REAL ESTATE CONTRACT VALUATION GROWTH AT 1.81% MONTHLY, MAY 31, 2017 VALUE:	\$1,017,138.10
TOTAL PORTFOLIO VALUATION GROWTH AT 7.4% MONTHLY, MAY 31, 2017 VALUE:	\$7,369,119.10

SWAP CONTRACT VALUATION GROWTH 16.6% Monthly and 199.2% Annual Return

	<u>JANUARY 31, 2017</u>	<u>MAY 31, 2017</u>
	<u>\$2,890,961.00</u>	<u>\$4,810,559.00</u>
 <u>MONTHLY DISBURSEMENT SWAP AGREEMENTS</u>	 <u>12/31/2016</u>	 <u>1/31/2017</u>
INTEREST SWAP CONTRACT OF SPID: 100015720	\$145,243.00	\$169,581.00 x
INTEREST SWAP CONTRACT OF Player 5	\$133,600.00	\$158,157.00 x
INTEREST SWAP CONTRACT OF Player 5	\$33,566.00	\$36,991.00 x
INTEREST SWAP CONTRACT OF Player 10	\$127,555.00	\$140,624.00 x
INTEREST SWAP CONTRACT OF SPID: 100013632	\$148,623.00	\$163,825.00 x
INTEREST SWAP CONTRACT OF Player 6	\$120,701.00	\$135,322.00 x
INTEREST SWAP CONTRACT OF Player 1	\$98,015.00	\$115,231.00 x
INTEREST SWAP CONTRACT OF SPID: 100007446	\$104,256.00	\$116,123.00 x
INTEREST SWAP CONTRACT OF SPID: 100013651	\$95,642.00	\$105,675.00 x
INTEREST SWAP CONTRACT OF SPID: 100004935	\$97,048.00	\$108,717.00 x
INTEREST SWAP CONTRACT OF SPID: 100017188	\$81,399.00	\$90,638.00 x
INTEREST SWAP CONTRACT OF SPID: 100001561	\$79,269.00	\$88,394.00 x
INTEREST SWAP CONTRACT OF Player 2	\$79,089.00	\$88,201.00 x
INTEREST SWAP CONTRACT OF SPID: 100016757	\$104,784.00	\$116,951.00 x
INTEREST SWAP CONTRACT OF SPID: 100002513	\$104,242.00	\$142,283.00 x
INTEREST SWAP CONTRACT OF Player 9	\$58,988.00	\$65,557.00 x
INTEREST SWAP CONTRACT OF Player 4	\$59,148.00	\$65,769.00 x
INTEREST SWAP CONTRACT OF Player 3	\$72,956.00	\$84,145.00 x
INTEREST SWAP CONTRACT OF SPID: 100004539	\$61,768.00	\$70,479.00 x
INTEREST SWAP CONTRACT OF SPID: 100002859	\$76,977.00	\$88,094.00 x
INTEREST SWAP CONTRACT OF NO SPID FOUND	\$70,545.00	\$79,683.00 x
INTEREST SWAP CONTRACT OF SPID: 100004089	\$50,001.00	\$59,001.00 x
INTEREST SWAP CONTRACT FOR SPID: 110012530	\$50,535.00	\$63,806.00 x
INTEREST SWAP CONTRACT FOR Player 7	\$48,598.00	\$57,036.00 x

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INTEREST SWAP CONTRACT OF SPID: 100002124	\$45,849.00	\$60,012.00 x
INTEREST SWAP CONTRACT OF SPID: 100008265	\$38,409.00	\$73,289.00 x
INTEREST SWAP CONTRACT OF SPID: 100008624	\$38,912.00	\$48,094.00 x
INTEREST SWAP CONTRACT OF SPID: 100014195	\$38,720.00	\$47,881.00 x
INTEREST SWAP CONTRACT OF SPID: 100002927	\$0.00	\$40,119.00 x
INTEREST SWAP CONTRACT OF SPID: 100004040	\$0.00	\$42,434.00
INTEREST SWAP OF SPID: 100016350	\$0.00	\$42,434.00
INTEREST SWAP CONTRACT OF SPID: 100015913	\$0.00	\$42,284.00
INTEREST SWAP CONTRACT OF SPID: 100012939	\$0.00	\$42,130.00
INTEREST SWAP CONTRACT OF SPID: 260001304 (DAD)	\$0.00	\$42,000.00
TOTALS	\$2,264,438.00	\$2,890,961.00

LUMP SUM ADVANCE CONTRACT VALUATION GROWTH

3.5% Monthly and 42% Annual Return

JANUARY 31, 2017	MAY 31, 2017
<u>\$1,352,125</u>	<u>\$1,541,422.50</u>

LUMP SUM ADVANCE AGREEMENTS AT 3.5% MONTHLY RETURN

LITIGATION CLAIM OF SPID: 100007446	\$51,892.00	\$53,968.00 x
LITIGATION CLAIM OF Player 6	\$385,350.00	\$398,837.00 x
LITIGATION CLAIM OF Player 6	\$0.00	\$145,000.00
LITIGATION CLAIM OF Player 10	\$198,943.00	\$204,911.00 x
LITIGATION CLAIM OF Player 5	\$465,175.00	\$477,968.00 x
LITIGATION CLAIM OF Player 5	\$17,925.00	\$17,283.00 x
LITIGATION CLAIM OF SPID: 100004539	\$52,581.00	\$54,158.00 x
TOTALS	\$1,171,866.00	\$1,352,125.00

REAL ESTATE LOAN VALUATION AND GROWTH

1.81% Monthly and 21.7% Annual Return

JANUARY 31, 2017	MAY 31, 2017
<u>\$947,055.96</u>	<u>\$999,326.66</u>

REAL ESTATE LOANS	December 31, 2016	January 31, 2016
DEBT OF SEASCAPE PROPERTIES (Loan 1)	\$92,738.76	\$94,748.68 x
DEBT OF SEASCAPE PROPERTIES (Loan 2)	\$55,000.00	\$55,995.50 x
DEBT OF SEASCAPE PROPERTIES (Loan 3)	\$68,000.00	\$69,230.80 x
DEBT TO SEASCAPE PROPERTIES (Loan 4)	\$145,511.00	\$148,144.75 x
DEBT TO SEASCAPE PROPERTIES (Loan 5)	\$177,633.00	\$180,848.15 x
DEBT TO BOSTON PROPERTIES (Loan 6)	\$370,090.00	\$376,788.62 x
DEBT OF SEASCAPE PROPERTIES - CCA	\$21,247.00	\$21,631.57 x
TOTALS	\$930,219.00	\$947,055.96

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CAMBRIDGE CAPITAL GROUP EQUITY OPTION OPPORTUNITIES LP PORTFOLIO VALUATION

December 31, 2016 Valuation

Valuation and Growth January 1, 2017 through May 31, 2017

SUMMARY:

LUMP SUM ADVANCE AGREEMENTS AT 4.0% MONTHLY, MAY 31, 2017 VALUE:	\$1,819,417.53
SWAP CONTRACTS VALUATION GROWTH AT 16.6% MONTHLY, MAY 31, 2017 VALUE:	\$665,005.93
TRAVEL COSTS ADVANCE VALUATION GROWTH AT 6% MONTHLY, MAY 31, 2017 VALUE:	\$107,021.07
NFL MEDICAL/TOBACCO LIT. COSTS GROWTH AT 4.5% MONTHLY, MAY 31, 2017 VALUE:	\$2,590,658.01
TOTAL PORTFOLIO VALUATION GROWTH AT 4.6% MONTHLY, MAY 31, 2017 VALUE:	\$5,182,102.47

LUMP SUM ADVANCE CONTRACTS VALUATION GROWTH

4.0% Monthly and 48% Annual Return

	<u>JANUARY 31, 2017</u>	<u>MAY 31, 2017</u>
	<u>\$1,568,462</u>	<u>\$4,810,559.00</u>
<u>LUMP SUM ADVANCE AGREEMENTS</u>	December 31, 2017	January 31, 2017
LITIGATION CLAIM OPTION OF SPID: 100005427	\$94,745.00	\$98,534.00 x
LITIGATION CLAIM OPTION OF NO SPID FOUND	\$17,508.00	\$18,209.00 x
LIT CLAIM OF OPTION OF SPID: 100010453	\$17,653.00	\$18,536.00 x
LITIGATION CLAIM OPTION OF SPID: 100004935	\$25,326.00	\$26,592.00 x
LITIGATION CLAIM OPTION OF SPID: 100012217	\$18,598.00	\$19,457.00 x
LITIGATION CLAIM OF Player 5 (IRS)	\$28,225.00	\$29,060.00 x
DIRECT LOAN TO Player 5 (Locker)	\$4,496.00	\$ 3,753.00 x
LIT CLAIM OPTION OF Player 5 (Arizona)	\$38,456.00	\$40,175.00 x
TOBACCO LITIGATION CLAIM OF NOT NFL	\$84,046.00	\$89,929.00 x
LITIGATION CLAIM OPTION OF SPID: 100002124	\$49,594.00	\$51,592.00 x
LITIGATION CLAIM OPTION OF SPID: 100001561	\$129,781.00	\$133,882.00 x
LITIGATION CLAIM OPTION OF SPID: 100002513	\$34,484.00	\$35,863.00 x
LITIGATION CLAIM OPTION OF Player 4	\$16,309.00	\$17,115.00 x
LIT CLAIM OPTION OF Player 3	\$28,544.00	\$29,666.00 x
LIT CLAIM OPTION OF NO SPID FOUND (ASSE)	\$27,635.00	\$28,666.00 x
LIT CLAIM OPTION OF SPID: 100013632	\$22,155.00	\$23,145.00 x
LIT CLAIM OPTION OF SPID: 100013632	\$120,072.00	\$123,578.00 x
LIT CLAIM OPTION OF NO SPID FOUND	\$15,435.00	\$16,133.00 x
LIT CLAIM OPTION OF Player 6	\$32,200.00	\$33,166.00 x
LIT CLAIM OPTION OF SPID: 100015720	\$66,753.00	\$64,198.00 x
LIT CLAIM OPTION OF SPID: 100015720	\$34,965.00	\$36,539.00 x

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LIT CLAIM OPTION OF SPID: 100002859	\$81,437.00	\$84,678.00 x
LIT CLAIM OPTION OF SPID: 100004539	\$55,353.00	\$57,174.00 x
LIT CLAIM OPTION OF Player 2	\$72,501.00	\$74,676.00 x
LIT CLAIM OPTION OF Player 9	\$89,120.00	\$91,794.00 x
LIT CLAIM OPTION OF SPID: 100013651	\$208,332.00	\$216,666.00 x
DIRECT LOAN TO NO SPID FOUND	\$6,489.00	\$6,748.56 x
DIRECT LOAN TO SPID: 260001304	\$17,215.00	\$19,132.00 x
LIT CLAIM OPTION OF NOT ABLE TO ID	\$29,575.00	\$30,832.00 x
LIT CLAIM OPTION OF SPID: 100002927	\$13,370.00	\$13,972.00 x
TOTALS	\$1,508,125.00	\$1,568,462.56

SWAP CONTRACTS VALUATION GROWTH
16.6% Monthly and 199.2% Annual Return

	<u>JANUARY 31, 2017</u>	<u>MAY 31, 2017</u>
	<u>\$399,642.99</u>	<u>\$665,005.93</u>
MONTHLY DISBURSEMENT SWAP AGREEMENTS	December 31, 2016	January 31, 2017
INTEREST SWAP CONTRACT FOR SPID: 100005427	\$108,748.00	\$131,091.00x
INTEREST SWAP CONTRACT FOR SPID: 100008196	\$85,258.00	\$96,815.00 x
INTEREST SWAP CONTRACT FOR NO SPID FOUND	\$23,957.00	\$27,735.00 x
INTEREST SWAP CONTRACT FOR SPID: 100008197	\$61,265.00	\$71,434.99 x
INTEREST SWAP CONTRACT FOR SPID: 100012217	\$62,026.00	\$72,561.00 x
TOTALS	\$341,254.00	\$399,642.99

TRAVEL COSTS ADVANCE CONTRACTS VALUATION GROWTH
6% Monthly and 72% Annual Return

	<u>JANUARY 31, 2017</u>	<u>MAY 31, 2017</u>
	<u>\$86,307.32</u>	<u>\$107,021.07</u>
TRAVEL COSTS ADVANCE AGREEMENTS	December 31, 2016	January 31, 2017
LIT CLAIM OPTION OF SPID: 950004260 (COSTS)	\$3,097.00	\$3,283.00 x
LIT CLAIM OPTION OF SPID: 100012217 (COSTS)	\$2,585.00	\$2,688.00 x
LIT CLAIM OPTION OF SPID: 100012217 (COSTS-Koberda)	\$1,966.00	\$2,084.00 x
LIT CLAIM OPTION OF SPID: 250021840 (COSTS)	\$3,050.00	\$3,208.00 x
LIT CLAIM OPTION OF SPID: 950000347 (COSTS)	\$1,837.00	\$1,929.00 x
LIT CLAIM OPTION OF SPID: 950006410 (COSTS)	\$3,328.00	\$3,524.00 x
LIT CLAIM OPTION OF SPID: 100002881 (COSTS)	\$3,172.00	\$3,362.00 x
LIT CLAIM OPTION OF SPID: 100011106 (COSTS)	\$1,239.00	\$1,312.00 x
LIT CLAIM OPTION OF SPID: 110012530 (COSTS)	\$2,562.00	\$2,715.00 x

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LIT CLAIM OPTION OF SPID: 100004089 (COSTS)	\$2,724.00	\$2,887.00 x
LIT CLAIM OPTION OF NO SPID FOUND (COSTS)	\$2,138.00	\$2,267.00 x
LIT CLAIM OPTION OF SPID: 100010763 (COSTS)	\$2,133.00	\$2,261.00 x
LIT CLAIM OPTION OF SPID: 100013070 (COSTS)	\$1,760.00	\$1,848.00 x
LIT CLAIM OPTION OF SPID: 100013070 (COSTS - Koberda)	\$1,500.00	\$1,588.00 x
LIT CLAIM OPTION OF SPID: 100010294 (COSTS)	\$2,119.00	\$2,246.00 x
LIT CLAIM OPTION OF SPID: 100003299 (COSTS)	\$2,121.00	\$2,246.00 x
LIT CLAIM OPTION OF Player 6 (COSTS)	\$1,917.00	\$2,013.00 x
LIT CLAIM OPTION OF SPID: 100017202 (COSTS)	\$2,685.00	\$2,846.00 x
LIT CLAIM OPTION OF Player 7 (COSTS)	\$2,228.00	\$2,339.00 x
LIT CLAIM OPTION OF SPID: 100014892 (COSTS)	\$2,999.00	\$3,149.00 x
LIT CLAIM OPTION OF SPID: 100007816 (COSTS)	\$3,277.00	\$3,408.00 x
LIT CLAIM OPTION OF SPID: 100011605 (COSTS)	\$2,147.00	\$2,297.00 x
LIT CLAIM OPTION OF SPID: 950004329 (COSTS)	\$3,806.00	\$4,030.00 x
LIT CLAIM OPTION OF SPID: 100005816 (COSTS)	\$2,280.00	\$2,416.00 x
LIT CLAIM OPTION OF SPID: 950006420 (COSTS)	\$2,760.00	\$2,925.00 x
LIT CLAIM OPTION OF SPID: 100011917 (COSTS)	\$4,305.00	\$4,563.00 x
LIT CLAIM OPTION OF SPID: 100016583 (COSTS)	\$2,184.00	\$2,315.00 x
LIT CLAIM OPTION OF SPID: 100001423 (COSTS)	\$2,594.00	\$2,747.00 x
LIT CLAIM OPTION OF SPID: 100003606 (COSTS)	\$2,225.00	\$2,356.00 x
LIT CLAIM OPTION OF SPID: 100012775 (COSTS)	\$2,175.00	\$2,303.00 x
LIT CLAIM OPTION OF SPID: 100014195 (COSTS)	\$1,754.00	\$1,856.00 x
LIT CLAIM OPTION OF SPID: 100012500 (COSTS)	\$2,600.00	\$2,753.00 x
LIT CLAIM OPTION OF SPID: 100009505 (COSTS)	\$2,155.00	\$2,282.00 x
TOTALS	\$81,422.00	\$86,307.32

NFL MEDICAL/TOBACCO LIT. COSTS CONTRACTS VALUATION GROWTH

4.7% Monthly and 56.4% Annual Return

<u>JANUARY 31, 2017</u>	<u>MAY 31, 2017</u>
<u>\$2,180,688.56</u>	<u>\$2,590,658.01</u>

NFL MEDICAL/TOBACCO LIT. COSTS CONTRACTS

December 31, 2016	January 31, 2017
\$2,082,797.10	\$2,180,688.56

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Exhibit 30



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

Detail by Officer/Registered Agent Name

Florida Profit Corporation

SEASCAPE PROPERTIES OF NORTH FLORIDA, INC.

Filing Information

Document Number	P00000026223
FEI/EIN Number	59-3635229
Date Filed	03/06/2000
State	FL
Status	INACTIVE
Last Event	ADMIN DISSOLUTION FOR ANNUAL REPORT
Event Date Filed	09/23/2016
Event Effective Date	NONE

Principal Address

2120 KILLARNEY WAY
SUITE 125
TALLAHASSEE, FL 32309

Changed: 04/29/2014

Mailing Address

2120 KILLARNEY WAY
SUITE 125
TALLAHASSEE, FL 32309

Changed: 04/29/2014

Registered Agent Name & Address

HOWARD, TIMOTHY P
2120 KILLARNEY WAY
SUITE 125
TALLAHASSEE, FL 32309

Address Changed: 04/29/2014

Officer/Director Detail

Name & Address

Title PT

HOWARD, TIMOTHY P

2120 KILLARNEY WAY
SUITE 125
TALLAHASSEE, FL 32309

Title VS

HOWARD, JENNIFER
2120 KILLARNEY WAY
SUITE 125
TALLAHASSEE, FL 32309

Annual Reports

Report Year	Filed Date
2013	05/01/2013
2014	04/29/2014
2015	01/07/2015

Document Images

01/07/2015 -- ANNUAL REPORT	View image in PDF format
04/29/2014 -- ANNUAL REPORT	View image in PDF format
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